DOCUMENT RESUME

ED 396 802 JC 960 432

AUTHOR Ernst, Joseph C., Jr.
TITLE Contractual Relationships for Educational Programs: The High Road.
PUB DATE Mar 96
NOTE 7p.; Paper presented at the Annual Meeting of the North Central Association (101st, Chicago, IL, March 23-26, 1996).
PUB TYPE Reports - Descriptive (141) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Accountability; Armed Forces; *Bids; Codes of Ethics; Community Colleges; *Continuing Education; *Contracts; Government School Relationship; *Military Personnel; *Staff Development; Two Year Colleges; Veterans

ABSTRACT

Since 1972, Park College, in Missouri, has successfully competed contractually with other colleges and universities for the opportunity to provide non-traditional college education on U.S. Armed Forces installations throughout the United States. The contract process begins with the military installation's Education Services Officer (ESO) initiating a needs assessment survey to identify a market for a college program. If the ESO determines that the most effective method of delivery is inviting colleges to establish a center on the installation, he/she invited Requests for Proposals from known institutions. Generally, selection as a provider of educational programs is based on an institution's ability to perform the given service, projected costs and levels of tuition, full accreditation and state approval, acceptance of an elaborate inspection process, and flexibility to "give back" to the military community through scholarships and other assistance. Once a proposal is accepted, the institution signs a contract which explicitly outlines the responsibilities of the involved parties; the financial and administrative services available as a part of the contract; class size, format and scheduling requirements; minimum qualifications of faculty and staff; and quality assurance efforts. Ethical issues involved in bidding for and receiving military contracts include the need to ensure the truth of advertising claims and program quality, the necessity of avoiding misrepresentation to inspection team, and the need to act on the findings of quality control efforts. (MAB)

**********
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
**********

ED 396 802

# Contractual Relationships for Educational Programs

Joseph C. Ernst, Jr.

Paper presented at the Annual Meeting of the North Central Association (101st, Chicago, IL, March 23-26, 1996).

JC 960 432

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY

J. C. Ernst

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)



BEST COPY AVAILABLE

## CONTRACTUAL RELATIONSHIPS FOR EDUCATIONAL PROGRAMS:

## THE HIGH ROAD

Park College is synonymous with quality traditional programs on the home campus and in non-traditional college education on US Armed Forces installations throughout the United States. Since 1972, Park College has successfully competed contractually with other colleges and universities for the opportunity to enhance the education of airmen, soldiers, sailors and marines. Several of our graduates can be found in the general officer and senior enlisted ranks or in top leadership roles in civilian industry.

### IN THE BEGINNING

The military services established civilian educational goals for their officer and enlisted corps to ensure that 21st Century leadership and technology could be effectively and efficiently applied. Most installations have an Education Services Officer (ESO); Chief, Education and Military Training; or Education Services Specialist.

### EDUCATIONAL PROGRAM INITIATION PROCESS

The ESO initiates a "needs assessment survey" among his or her constituents to identify a market for a college program. The survey and subsequent assessments identify specific requirements and resources on the military installation. If the ESO decides that the most effective method of delivery is inviting colleges to establish a Center on the installation, he or she invites Request For Proposals (RFP), from known institutions by telephone and/or mail.

### INSTITUTIONAL PROPOSAL

The Request for Proposal (RFP), or outline of what the contractual party is looking for, arrives at the institution. It is necessary to follow each descriptive section in the RFP with a succinct explanation of how the institution will perform to the specification. Also, the RFP should include the mission statement, goals, degree offerings, costs, staffing, and administrative requirements. The institution must meet any imposed deadline stated in the RFP. Requests for extensions are generally ignored. You must address the proposal exactly as prescribed in the RFP or suffer the consequences. Use Federal Express, United Parcel Service (UPS) or Roadway Package System (RPS) to deliver your proposal and obtain the dated receipt of delivery, along with the signature of the addressee.



BEST COPY AVAILABLE

## CRITERIA FOR SELECTION

Generally, selection as a provider of educational programs is based on:

- Ability to perform the given service
- Cost (tuition)
- Full Accreditation and State Approval
- Acceptance of an elaborate inspection process
- Flexibility to "give back" to the military community

## REPUTATION

The military is looking for accelerated programs with semesters or terms nine weeks in duration, built-in ability to meet the demanding schedules of service members, the home campus infrastructure to support five terms per year at each established Center and a proven track record. In Park College's case, credibility is enhanced by identifying graduates who later became general officers and command sergeants major. It is difficult to ignore success!

## COST

The military subsidizes tuition by typically paying 75% of the cost. The cheaper the tuition, the further the subsidies go.

## ACCREDITATION AND STATE APPROVAL

Accreditation and ability to obtain state licensure are minimal criteria for all who bid on the contracts.

## INSPECTIONS

The Air Force calls their process, "Quality Education System" (QES); the Army, Navy and Marines have "Military Installation Voluntary Education Review" (MIVER). These inspections are four-day intensive reviews of administrative and academic performance. These external examinations are in addition to an institution's own internal quality control procedures and those inspections conducted by the state, Veterans Administration and regional accrediting bodies.

BEST COPY AVAILABLE

FLEXIBILITY

The military service expects institutions to "give back"...have a spirit of community. Park College awards a 30 credit hour scholarship to a military family member at each Center; and two 9 semester hour McAfee Library Scholarships to active duty Air Force personnel or their families at our Air Force Centers. Park College pioneered the concept of returning 2% of tuition revenue generated at each site to installation libraries for the purchase of books, periodicals, CD-ROM, computers and related resource materials.

YOU WON!

The contractual relationship is currently developed in a negotiated Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA). In the future, comprehensive solicitations followed by detailed, competitively bid contracts will be the standard. This move, as seen by the military, ensures greater control over educational services and "locks in" tuition rates and related costs.

Once an institution's proposal is accepted, the institution's CEO will be asked to sign an MOU/MOA/Contract, review the material thoroughly and obtain legal advice, if necessary. Do not be surprised if the contractual party awards lower division courses to one institution, upper division courses to another and graduate level courses to still another. The selected colleges are partners, not competitors. Work together to ensure all schedules complment one another. The contractual party is interested in the synergy effect - what the team produces.

HIGHLIGHTS OF THE CONTRACTUAL/MOU/MOA AGREEMENT

Generally, the following clauses are found:

- Responsibilities

The document spells out who is responsible for services and support. For instance, if the institution's intent is to have utility costs shared, but is not described in the contractual language, the contractual party generally has the legal protection, not the institution. In other words, the institution will be responsible for supplying the full utility service.

- Financial Services

This describes how the students are going to pay for their share of the tuition. It also identifies the financial reports the post-secondary institution must furnish or make available for inspection.



BEST COPY AVAILABLE

- Administrative Services

This describes office and classroom space. It delineates which fees will be assessed, and describes who pays in each separate area.

- Class Size, Format and Scheduling

This describes the minimum number of students each course must have to meet the educational institution's financial investment and addresses term/semester length and other unusual features, like mediated distance learning, to meet contractual party expectations.

- Personnel Administration

Identifies minimum qualifications of the educational institution's staff and faculty, and requires a series of solid regulations and procedures to govern those employees.

- Quality Assurance

This section will specify the conditions under which the ESO or designee can visit the classrooms, inspect records, conduct audits and inspections. Each institution will be required to furnish the institution's written Quality Control Program and a quality assurance plan checklist patterned after the requirements of the written agreement.

## FOCUS ON CRITERION FIVE - INTEGRITY

Ethical issues often emerge from conflict, if let go that far! The key to success is to possess the flexibility to accept criticism and implement changes. It is having the moral courage to make a self analysis, recognize weaknesses and then do something about them. Do not wait for the conflict that will certainly come.

In the contractual arena, here are a few common ethical issues:

- False or Misleading Advertising

Has your institution reported that you are "VA approved?" The Veterans Administration might take umbrage. Have you advertised that North Central approved specific courses or programs? Take a look at pages 160-161 in the Handbook of Accreditation, 1994-96, NCA. Does the institution advertise that the military or a specific service has approved the institution, all of these examples are unacceptable. Ignorance of the rules is not an excuse, the lack of enforcement is not justification for continuing to violate the rules. Park College has centralized the approval process for advertising to ensure legal and ethical compliance.



BEST COPY AVAILABLE

Does the institution have a written quality control procedure? Is it used? If not, the contractual party will apply their own. This is false economy and the institution will be out of the business of contracting for educational programs. Park College has a staff assistance team that conducts site visits to make certain that quality control procedures are exercised.

• Misrepresentation and Deception

When the contractual party's inspection team arrives, are the staff candid and approach the process in an open, "tell me how to do it better", manner? Park College prepares an extensive self-study for each visit that assesses the strengths and weaknesses of the academic program and outlines the plan to make further quality improvements.

• Oversight Processes

Does the institution have a procedure to detect problems in educational delivery? Park College requires that every course be evaluated, in writing, by the students. Each time new faculty begins their first course, they are evaluated by an on-site Academic Director and annually thereafter. New faculty prepare their own assessments of the course and together with the student surveys and Academic Director evaluation, the material is reviewed by the Center Administrator and then forwarded with comment to home campus for review by Program Coordinators, (seasoned full-time faculty in that particular discipline). The data is also evaluated by the Director of Site Operations and Quality Assurance and the Vice President for the School of Extended Learning.

There is tangible evidence of this oversight process:

- Documented cases of faculty not teaching for Park College again.
- Faculty placed on probation and required to repeat the entire new faculty evaluation process.
- Faculty released from their contract **before** the term is completed and the students re-enrolled in the same course, with a different faculty, at no further expense to the students.

## ETHICS IN ALL OUR RELATIONSHIPS

The value of integrity drives the ethical conduct of Park College employees and associates. The College stakes its very reputation on adherence to the highest ethical standards, which surpass the letter of the law or contractual party's established criterion. Honor has almost extinguished itself from the plains of America. It is up to institutions of higher learning to reignite the guiding light of righteousness and abide by the principle of, "do the right thing."


BEST COPY AVAILABLE